

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THOMAS DAVIS,	:	
Plaintiff	:	
	:	
v.	:	No. 2:02-CV-04519-PBT
	:	
MARCIA WALDRON,	:	
CLERK, UNITED STATES COURT	:	
OF APPEALS FOR THE THIRD	:	
CIRCUIT, <i>et al.</i> ,	:	
Defendants	:	
	:	

DEFENDANTS' MOTION TO DISMISS AMENDED COMPLAINT AS  
FRIVOLOUS FOR FAILURE TO STATE A CLAIM  
PURSUANT TO FED.R.CIV.P. 12(b)(6)

The defendants, by their attorneys Patrick L. Meehan, United States Attorney for the Eastern District of Pennsylvania, and Stephen J. Britt, Assistant United States Attorney for the district, move the Court to dismiss the complaint as frivolous, for the reasons set out in the accompanying memorandum of law.

Respectfully submitted,

PATRICK L. MEEHAN  
United States Attorney

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VIRGINIA A. GIBSON  
Assistant United States Attorney  
Chief, Civil Division

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STEPHEN J. BRITT  
Assistant United States Attorney